

108TH CONGRESS
2D SESSION

S. 2792

To permit athletes to receive nonimmigrant alien status under certain conditions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2004

Ms. COLLINS introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To permit athletes to receive nonimmigrant alien status under certain conditions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NONIMMIGRANT ALIEN STATUS FOR CERTAIN**

4 **ATHLETES.**

5 Section 214(c)(4)(A)(i) of the Immigration and Na-
6 tionality Act (8 U.S.C. 1184(c)(4)(A)(i)) is amended to
7 read as follows:

8 “(i)(I) performs as an athlete, individually or as
9 part of a group or team, at an internationally recog-
10 nized level of performance,

1 “(II) is a professional athlete, as defined in sec-
2 tion 204(i)(2), or

3 “(III) performs as an athlete, or as a coach, as
4 part of a team or franchise that is located in the
5 United States and a member of a foreign league or
6 association of 15 or more amateur sports teams, if—

7 “(aa) the foreign league or association is
8 the highest level of amateur performance of
9 that sport in the relevant foreign country,

10 “(bb) participation in such league or asso-
11 ciation renders players ineligible, whether on a
12 temporary or permanent basis, to earn a schol-
13 arship in, or participate in, that sport at a col-
14 lege or university in the United States under
15 the rules of the National Collegiate Athletic As-
16 sociation (NCAA), and

17 “(cc) a significant number of the individ-
18 uals who play in such league or association are
19 drafted by a major sports league or a minor
20 league affiliate of such a sports league, and”.

21 **SEC. 2. ADVISORY OPINIONS.**

22 Section 214(c) of the Immigration and Nationality
23 Act (8 U.S.C. 1184(c)) is amended—

24 (1) in paragraph (4)(D), by inserting “(other
25 than with respect to aliens seeking entry under sub-

1 clause (II) or (III) of subparagraph (A)(i) of this
 2 paragraph),” after “101(a)(15)(P)”;

3 (2) in paragraph (6)(A)(iii), by inserting
 4 “(other than with respect to aliens seeking entry
 5 under subclause (II) or (III) of subparagraph (A)(i)
 6 of this paragraph)” after “101(a)(15)(P)(i)”.

7 **SEC. 3. PETITIONS FOR MULTIPLE ALIENS.**

8 Section 214(c)(4) of the Immigration and Nationality
 9 Act (8 U.S.C. 1184(c)(4)) is amended by adding at the
 10 end the following new paragraph:

11 “(F) The Secretary of Homeland Security shall per-
 12 mit a petition under this subsection to seek classification
 13 of more than one alien as a nonimmigrant under section
 14 101(a)(15)(P)(i)(a). The fee charged for such a petition
 15 may not be more than the fee charged for a petition seek-
 16 ing classification of one such alien.”.

17 **SEC. 4. RELATIONSHIP TO OTHER PROVISIONS OF THE IM-**
 18 **MIGRATION AND NATIONALITY ACT.**

19 Section 214(c)(4) of the Immigration and Nationality
 20 Act (8 U.S.C. 1184(c)(4)), as amended by section 3, is
 21 further amended by adding at the end the following new
 22 paragraph:

23 “(G) Notwithstanding any other provision of this
 24 title, the Secretary of Homeland Security shall permit an
 25 athlete, or the employer of an athlete, to seek admission

1 to the United States for such athlete under a provision
2 of this Act other than section 101(a)(15)(P)(i).”.

3 **SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.**

4 Section 214(c)(4) of the Immigration and Nationality
5 Act (8 U.S.C. 1184(c)(4)) is amended by striking “Attor-
6 ney General” each place it appears and inserting “Sec-
7 retary of Homeland Security”.

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